

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

No. CR 09-0523 WHA

UNITED STATES OF AMERICA,

Plaintiff,

v.

VIRGINIA ROBERSON,

Defendant.

**ORDER TO SHOW CAUSE RE  
FAILURE TO COMPLY WITH  
SUBPOENA DUCES TECUM**

On October 16, 2009, a subpoena duces tecum issued to third party the Mentone Hotel and another subpoena duces tecum issued to third party the San Francisco District Attorney in this action. Both subpoenas sought production of certain documents and other evidence to defendant Virginia Roberson. Defense counsel has filed a declaration that she duly and properly served each of these third parties with its subpoena on October 20, 2009. Both of the subpoenas had a return date of November 5, 2009. Defense counsel declares that neither third party has responded to the subpoena issued to it. Nor has either filed a motion to quash (See Schwartz Decl. 1-2).

For good cause shown, the Mentone Hotel and the San Francisco District Attorney are each ordered to appear before this Court on **DECEMBER 9, 2009 AT 9:00 A.M.** to show cause why they have failed to comply with these subpoenas. Additionally, each must file a written response to address why they have failed to comply with the subpoenas on or before **NOON ON DECEMBER 7, 2009.** For lack of good cause shown, defendant's request to file under seal her

1 motion for an order to show cause is **DENIED**.

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3 **IT IS SO ORDERED.**

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5 Dated: November 17, 2009.

  
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6 WILLIAM ALSUP  
7 UNITED STATES DISTRICT JUDGE  
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